

**REMARKS/ARGUMENTS**

**Re 35 USC 102 Rejection**

The Applicant submits that Roussel does not teach or suggest all elementary steps of the invention. For example, Roussel does not teach or suggest repeating one or more of the steps when n is greater than m, as recited in claims 1 and 9 of the present application. First of all, according to the present invention, the repetition of one or more steps is performed on the condition that the bit range of the data storage zone where the data is stored consists of more bits than each storage unit of the data storage zone, i.e.  $n > m$ . On the contrary, according to the cited Fig. 4B of the patent to Roussel, neither the unaligned operand nor the combined operand has a greater size than the storage unit of the cache 12 or the register XMM7.

Furthermore, according to claim 1 of the present invention, when step (iii) or (iv) are executed or repeated, they are the shifts S1 and S2 obtained by step (i) and (ii) used as shift units in the first and second shift operations, respectively. In the last three lines of pages 3 and 12 of the Action, the examiner stated Roussel disclosed the above feature in Fig. 4B as OP1 shifted right twice and OP2 (should be OP3) shifted left 14<sup>th</sup> times. The twice right shift of OP1 and the 14 times left shift of OP3 inherent mean that each left or right shift unit is one byte. However, there is no hint from the patent to Roussel showing how the one-byte shift unit relates to steps 108 and 112 of Fig. 5 cited by the examiner to be equivalent to steps (i) and (ii) of the present claim 1.

Moreover, on page 3 of the Action, the examiner cited steps 110 and 114 to be equivalent to steps (iii) and (iv) of the present claim 1, respectively. Then, it is inferable that LSB4 and 16 MINUS LSB4 correspond to the first and second shifts S1 and S2 of the present invention according to the examiner. However, the examiner further cited twice right shift of OP1 and the 14 times left shift of OP3 of Fig. 4B to anticipate the repetition of steps (iii) and (iv). The two paragraphs are apparently incomparable.

Similar discussions can be applied to claim 9. Therefore, claim 1 and its dependent claims 3-8, and claim 9 and its dependent claims 11-17 are novel and unobvious over Roussel.

Re 35 USC 103 Rejection

Similar to the discussions above, Roussel in view of Debes fails to teach or suggest any occasion when n is greater than m, as recited in claim 18 of the present application. Furthermore, there is no disclosure or suggestion in the prior art about using different masks in different occasions when n is greater or not greater than m, as recited in claim 18.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As Roussel in view of Debes does not teach or suggest all the claim limitations, and the combined teachings show no reasonable expectation of success, claim 18 and its dependent claims 19-22 are unobvious over the cited references.

Appl. No. 10/693,612  
Amdt. dated November 10, 2006  
Reply to Office Action of August 10, 2006

In view of the foregoing, allowance of all pending claims 1, 3-9 and 11-22 is respectfully requested.

Respectfully submitted,



/Thomas M. Hardman/

---

Thomas M. Hardman  
Reg. No. 51,777  
Attorney for Applicant

Date: November 10, 2006

MADSON & AUSTIN  
Gateway Tower West  
15 West South Temple, Suite 900  
Salt Lake City, Utah 84101  
Telephone: 801/537-1700